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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/738,659	10/30/96	MOTOYAMA	T 5244-051-2X-

LM21/1208
OBLON SPIVAK MCCLELLAND MAIER AND
NEUSTADT
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON VA 22202

EXAMINER	
LUU, L	
ART UNIT	PAPER NUMBER
2756	6

DATE MAILED: 12/08/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 10/30/96
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 (month)s, or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 10-19 and 36-45 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 10-19 and 36-45 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4
- ☒ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☒ Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

1. Claims 10-19, and 36-45 are presented for examination.
2. The following is a quotation of 35 U.S.C. § 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 10-19, and 36-45 rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Kraslavsky et al (Kraslavsky)** patent no. **5,537,626**, in view of **Johnston et al (Johnston)** patent no. **5,414,707**.
4. As to claim 10, Kraslavsky teaches the invention substantially as claimed, including a method for communicating between a monitored device and a monitoring device (printer 4 and NTWK ADMIN PC 14, figure 1) comprising the steps of:

determining information to be transmitted by the monitoring device to the monitored device, the information including a request for a status of the monitored device determined using sensors within the monitored device (col. 39 lines 9-20, and Table 10 begins on col. 41 line 35);

transmitting the information from the monitoring device to the monitored device through a Wide Area Network (WAN) (col. 7 lines 38-63).

However, Kraslavsky does not explicitly teach transmitting the information by a connectionless mode.

Johnston teaches Asynchronous Transfer Mode (ATM) which allows data to be transmitted using connectionless mode (col. 4 lines 55-60).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Kraslavsky and Johnston to use connectionless mode to transfer Kraslavsky's printer status because it would allow printer status to be transferred on high speed networks.

5. As to claim 11, Kraslavsky teaches transmitting the information as an Internet electronic mail message over the Internet (col. 11 lines 2-17).

6. As to claims 12-13, Kraslavsky teaches transmitting a message to the monitored device which is a business office device such as copier, facsimile machine, or printer (Abstract, and col. 2 lines 35-62).

7. As to claim 14, Kraslavsky and Johnston teach receiving the transmitted information by the monitored device; and transmitting a connectionless-mode communication from the monitored device to the monitoring device containing status

information of the monitored device, in response to the transmitted information from the monitoring device (Kraslavsky, col. 2 lines 35-62; Johnston, col. 4 lines 55-60).

8. As to claim 15, Kraslavsky teaches transmitting the information from the monitoring device to a plurality of monitored devices including the monitored device (col. 34 lines 63-67).

9. As to claim 16, Kraslavsky teaches the invention substantially as claimed, including a method for communicating between a machine and a monitoring device, comprising the steps of:

determining status information using at least one of a mechanical and electrical sensor (col. 39 lines 9-29); and

transmitting the status information from the machine to the monitoring device (col. 39 lines 9-29).

However, Kraslavsky does not explicitly teach transmitting the information by a connectionless mode.

Johnston teaches Asynchronous Transfer Mode (ATM) which allows data to be transmitted using connectionless mode (col. 4 lines 55-60).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Kraslavsky and Johnston to

use connectionless mode to transfer Kraslavsky's printer status because it would allow printer status to be transferred on high speed networks.

10. As to claim 17, Kraslavsky and Johnston teach analyzing the status information by the machine, wherein the status information is transmitted using the connectionless-mode message when the status information is analyzed and determined to be within a standard operating range (Kraslavsky, col. 39 lines 20-54; Johnston, col. 4 lines 55-60).

11. As to claim 18, Kraslavsky and Johnston teach determining status information which is outside of normal operating parameters exists in the machine using at least one of the mechanical and electrical sensor; and transmitting a connection-mode message from the machine to the monitoring device containing the status information which is outside of the normal operating parameters (Kraslavsky, col. 39 lines 20-54; Johnston, col. 4 lines 55-60).

12. Claims 19 and 36-45 have similar limitations as claims 10-15; therefore, they are rejected under the same rationale.

13. Further references of interest are cited on Form PTO-892 which is an attachment to this office action.

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank J. Asta, can be reached at (703) 305-3817.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

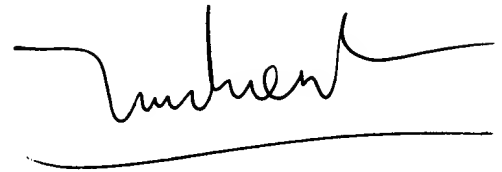
Or:

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(703) 308-5359 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).

A handwritten signature in black ink, appearing to read 'Le H. Luu', is written over a horizontal line.

Le H. Luu

December 01, 1997